

**AFFIDAVIT OF SPECIAL AGENT RYAN D. MCGONIGLE
IN SUPPORT OF CRIMINAL COMPLAINT**

I, RYAN D. MCGONIGLE, being duly sworn, depose and state as follows:

1. I am an “investigative or law enforcement officer of the United States” within the meaning of 18 U.S.C. § 2501(7), and am empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in 18 U.S.C. § 2516.

2. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) assigned to the Boston Division, Springfield Resident Agency, in Springfield, Massachusetts, having been so employed since 2017. As an FBI Special Agent, I am responsible for the investigation of federal criminal offenses. I have completed the FBI Basic Field Training Course in Quantico, VA. Since 2017, I have been assigned to a national security squad and work on the FBI’s Joint Terrorism Task Force (“JTTF”) to investigate international and domestic terrorism matters. In this regard, I routinely work with agents and officers with dozens of years of experience investigating crimes involving terrorism and national security violations.

3. As an FBI Special Agent, I have conducted and participated in criminal investigations, which have resulted in arrests for numerous crimes including child exploitation, controlled substance violations, and financial crimes. I have personally been involved in the execution of state and federal search and arrest warrants, which have led to the arrest and conviction of many individuals.

4. Prior to joining the FBI, I obtained my law degree from Suffolk University Law School, in Boston, Massachusetts in 2011. From 2012 through 2015, I worked with the United States Citizenship and Immigration Service. From 2015 through 2017, I worked as an Assistant Chief Counsel for Immigration and Customs Enforcement.

5. I make this affidavit in support of an application for a Criminal Complaint charging

Kevin A. Johnson (“JOHNSON”) with conveying false information and hoaxes, in violation of Title 18, United States Code, Section 1038, and mailing threatening communications, in violation of Title 18, United States Code, Section 876(c).

6. Title 18, United States Code, Section 1038 makes it illegal for any person to engage:

in any conduct with intent to convey false or misleading information under circumstances where such information may reasonably be believed and where such information indicates that an activity has taken, is taking, or will take place that would constitute a violation of chapter...10 [biological weapons], 11B [chemical weapons]....

7. Title 18, United States Code, Section 876(c) prohibits any person from knowingly depositing or causing “to be delivered...any communication” that contains a threat to injure or kidnap any person.

8. As described in detail below, I have probable cause to believe, and do in fact believe, that beginning on or about July 23, 2018, and continuing to on or about November 13, 2018, JOHNSON engaged in conduct with intent to convey false and misleading information. Specifically, I have probable cause to believe that JOHNSON mailed an envelope containing a demeaning and threatening communication and white powder, under circumstances where such information could reasonably have been believed, that indicated that an activity had taken, was taking, and would take place, namely that the powder was Anthrax and could hurt those exposed to it, that would constitute a violation of Title 18, United States Code, chapter 10, which relates to biological weapons, including Anthrax, in violation of Title 18, United States Code, Section 1038(a)(1)(A).

9. Further, I have probable cause to believe, and do in fact believe, that beginning on or about July 23, 2018, and continuing to on or about November 13, 2018, JOHNSON knowingly

deposited in an authorized depository for mail matter, to be sent and delivered by the Postal Service, a communication containing a threat to injure the person of another, for the purpose of issuing a threat and knowing that it would be interpreted as a threat, in violation of Title 18, United States Code, Section 876(c).

10. The information contained in this affidavit is based upon my own investigation and information provided to me by other law enforcement officers. Where conversations or statements of others are related herein, they are related in substance and in part. Moreover, because this affidavit is submitted for a limited purpose, I have not set forth every fact that I have learned in the course of the investigation.

PROBABLE CAUSE

11. Between on or about July 23, 2018, and on or about November 13, 2018, several federal offices in Springfield, Massachusetts – the FBI Springfield Resident Agency (“FBI Springfield”), the Springfield Social Security Administration Office (“SSA Springfield”), and the Springfield Branch Office of the United States Attorney’s Office for the District of Massachusetts (“USAO Springfield”) – received packages through hand delivery or the mail, containing threatening communications or substances that appeared to pose a threat to public safety. In total, four packages were received. Two of these packages contained suspicious white powder, which the recipients reasonably believed could contain harmful biological agents, including Anthrax. Anthrax is an infection that is spread by a particular bacterium’s spores, through contact with the skin or inhalation. This infection can cause death in humans.

12. Based on my experience and training, I know that federal law enforcement agencies have previously investigated envelopes containing Anthrax and other harmful biological or chemical agents in white-powder form that were sent to persons with the intent to scare and cause

harm. Such a reaction is understandable because opening an envelope that does indeed contain Anthrax often results in the powder coming in contact with the recipient's or opening agent's skin or lungs (through inhalation), either of which could cause a serious infection, injury, or death. In other investigations, people have mailed envelopes containing an inert white powder, such as talcum powder or cornstarch, for the apparent intent to scare the addressee or the opener of the envelope into thinking that the powder is Anthrax or a harmful biological or chemical agent.

Package delivered to FBI Springfield on July 23, 2018

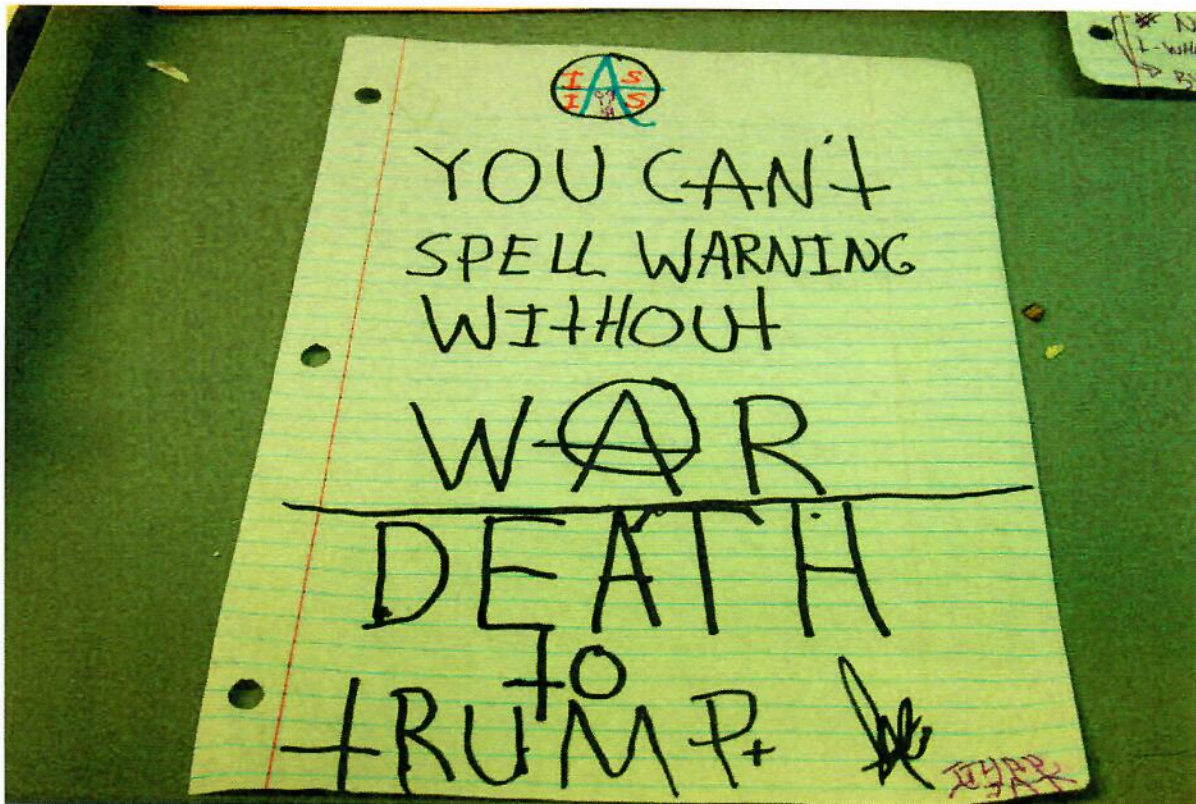
13. On or about July 23, 2018, security cameras at FBI Springfield, located at 1441 Main Street, 8th floor, Springfield, Massachusetts, captured an unidentified white male with a white beard exit the elevator, throw a manila envelope ("PACKAGE 1") at the front door of the FBI Springfield office, turn around, and re-enter the elevator.

14. PACKAGE 1 contained multiple pieces of white-lined paper with handwritten statements on each page. On the top of one of the pages was a unique hand-drawn circle-A symbol, which I know from my training and experience is used by anarchists to symbolize the cause of anarchy. Typically, it contains a capital letter "A" surrounded by the capital letter "O" ("anarchist A symbol"). Here, the symbol also contains a reference to "ISIS." Based upon my experience and training, ISIS is the acronym for the Islamic State of Iraq and Syria, a foreign terrorist organization ("FTO") that has been designated by the U.S. Department of State (the "State Department"). The State Department has also recognized ISIL, or the Islamic State of Iraq and the Levant, as an alias for ISIS. Additionally, the State Department has reported that, among other things, ISIS has committed systematic abuses of human rights violations of international law, including indiscriminate killing and deliberate targeting of civilians, mass executions and extrajudicial killings, persecution of individuals and communities on the basis of their identity, kidnapping of civilians, forced displacement of Shia communities and minority groups, killing and

maiming of children, rape, and other forms of sexual violence.

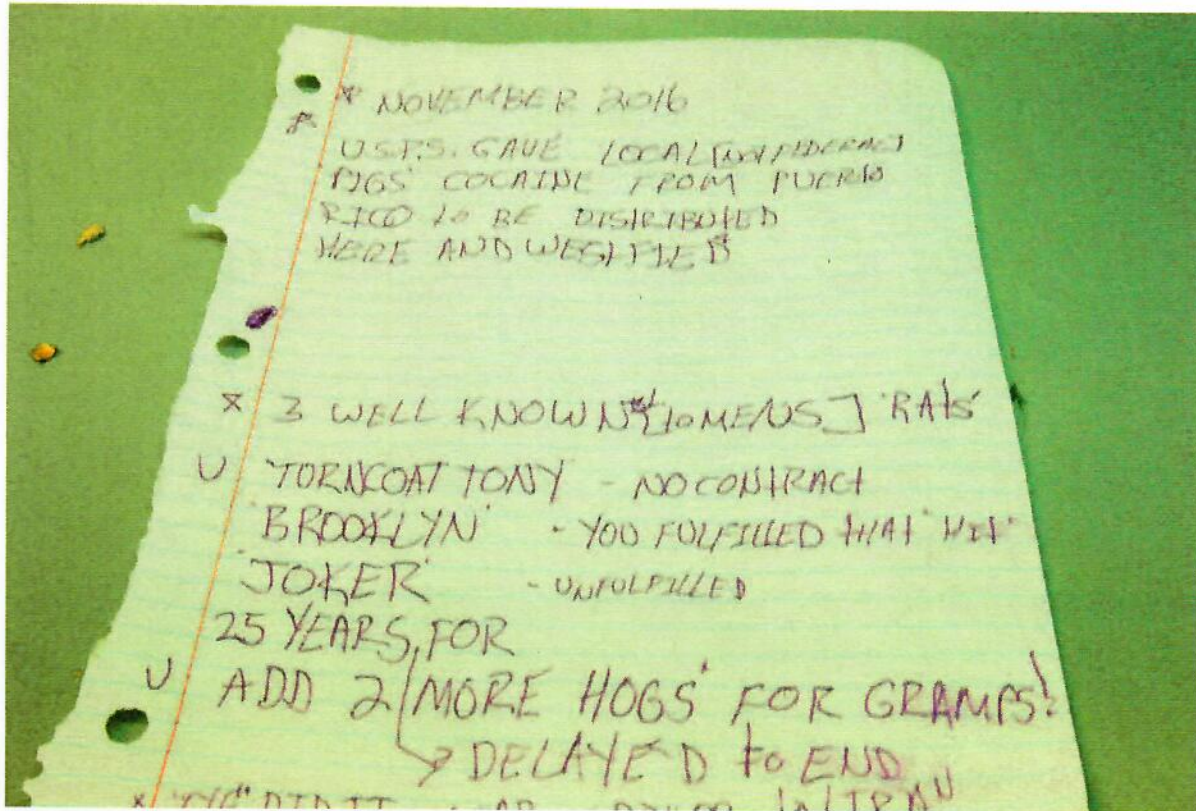
15. Based upon my experience and training, it is not common to combine elements of ISIS and anarchism in a symbol. However, both ISIS and anarchists use violence to accomplish their individual goals. Accordingly, I believe that combining the symbol for anarchy and the ISIS acronym into a form of a monogram in this letter was intended to increase the degree of intimidation for the recipient of this package. As described below, each of the packages contained a similar anarchist A symbol with an well-known acronym for ISIS. By so doing, I believe JOHNSON was seeking to convey his intention to use violence against the recipients of the packages and targets identified in the letters.

16. At the bottom of the page containing the anarchist-A and ISIS symbol in PACKAGE 1 was the phrase "DEATH to TRUMP." A photograph of this page is shown below:

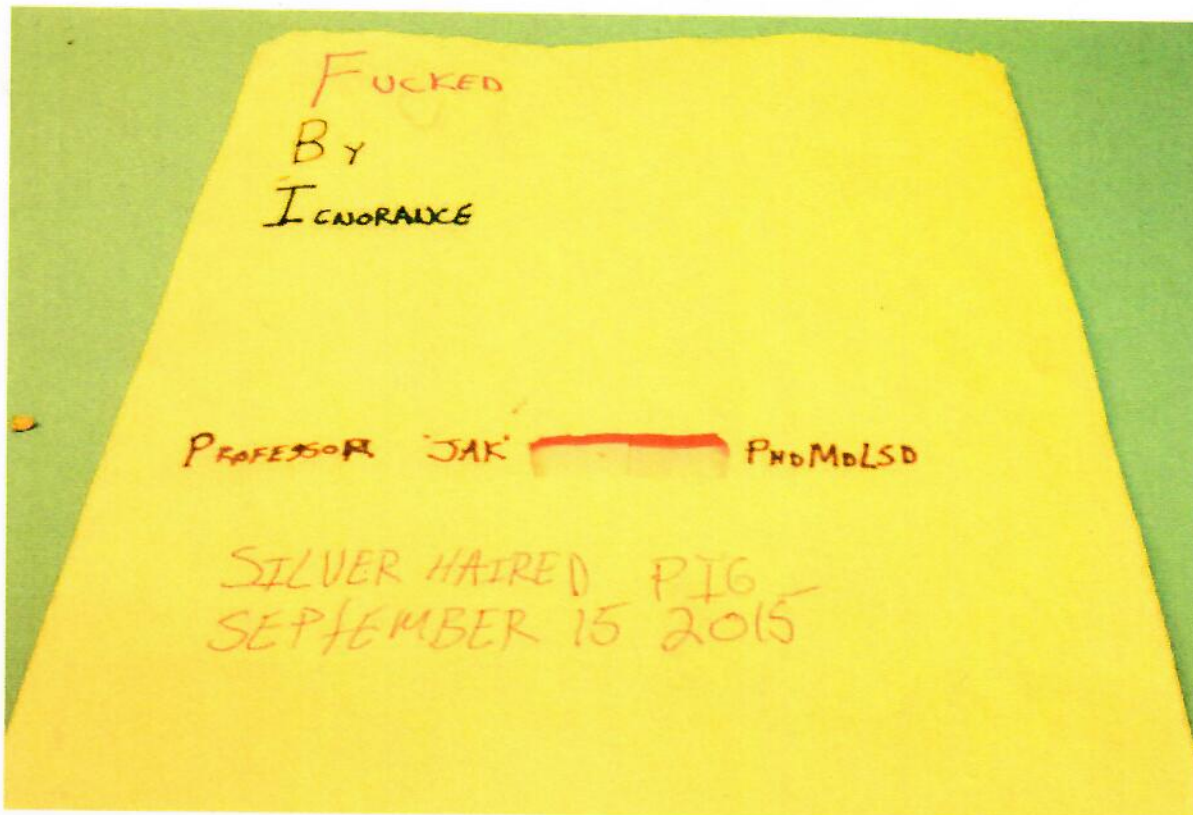


17. On a different page included in PACKAGE 1 was a handwritten list including the

name "Joker." A photograph of this page is shown below:



18. On the back of the manila envelope of PACKAGE 1 was the statement "SILVER HAIRED PIG SEPTEMBER 15, 2015." A photograph of the manila envelope is shown below:



A search of FBI databases indicated that on September 15, 2015, Kevin Johnson, with the same date of birth as JOHNSON, appeared in person at FBI Springfield to make a complaint. FBI Special Agent Patrick Carnahan ("Special Agent Carnahan"), who has white hair, interviewed JOHNSON. During that interview, JOHNSON spoke at length about a person named "Joker." JOHNSON claimed that Joker was a person that the FBI would be interested in arresting, and that JOHNSON could help the FBI with that arrest.

19. The term "pig" is often used as a derogatory term for law enforcement. Based on my training and experience and the facts of this investigation, I believe that the statement, "SILVER HAired PIG" on PACKAGE 1 referred to Special Agent Carnahan.

20. Additionally, during this investigation, I reviewed FBI internal databases for the name "Kevin Johnson" with JOHNSON's date of birth. Based upon these searches, I determined that on February 5, 2016, JOHNSON appeared in person at FBI Springfield to make a second

complaint. On that date, JOHNSON stated that a man named “D.F.” had robbed and kidnapped him in 1995, and that JOHNSON wanted the FBI to help him recover a settlement against D.F.

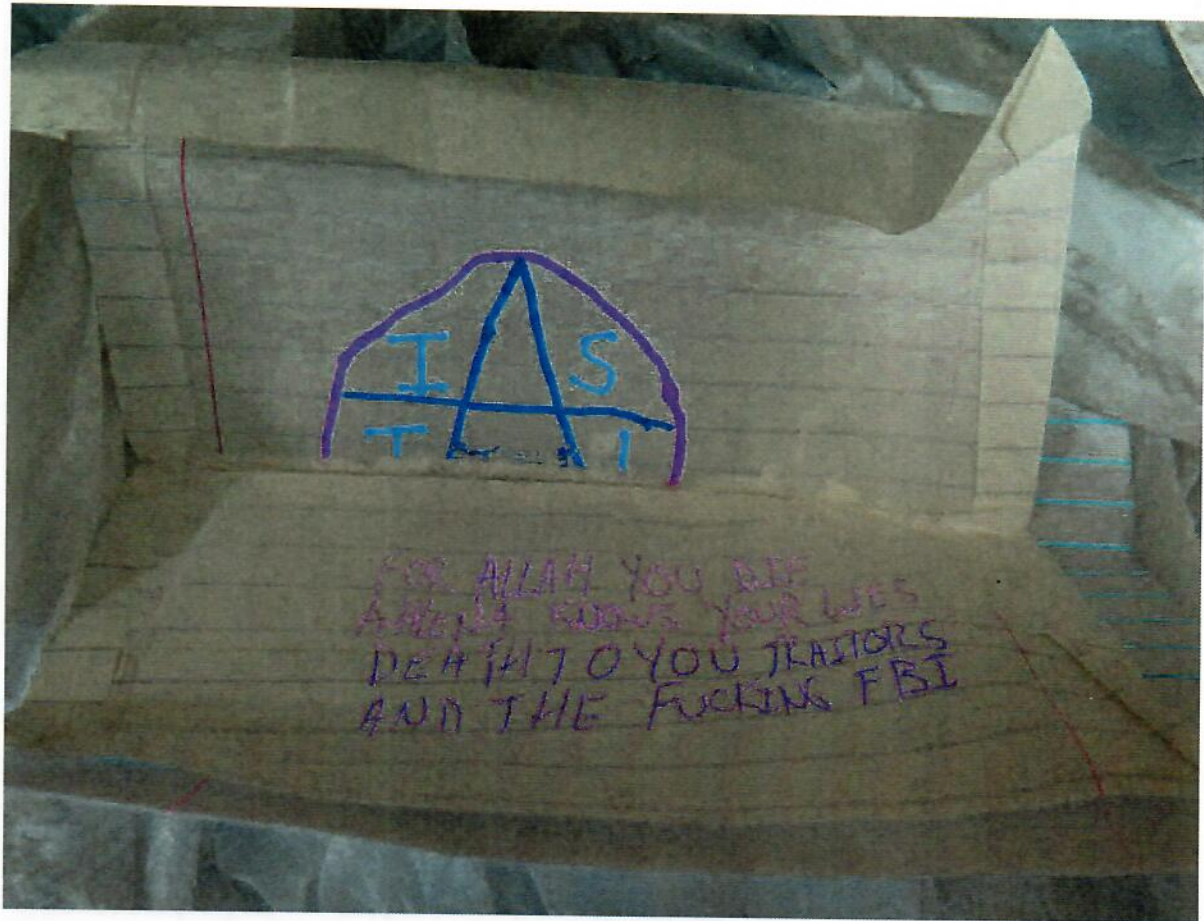
Package mailed to SSA Springfield on October 23, 2018

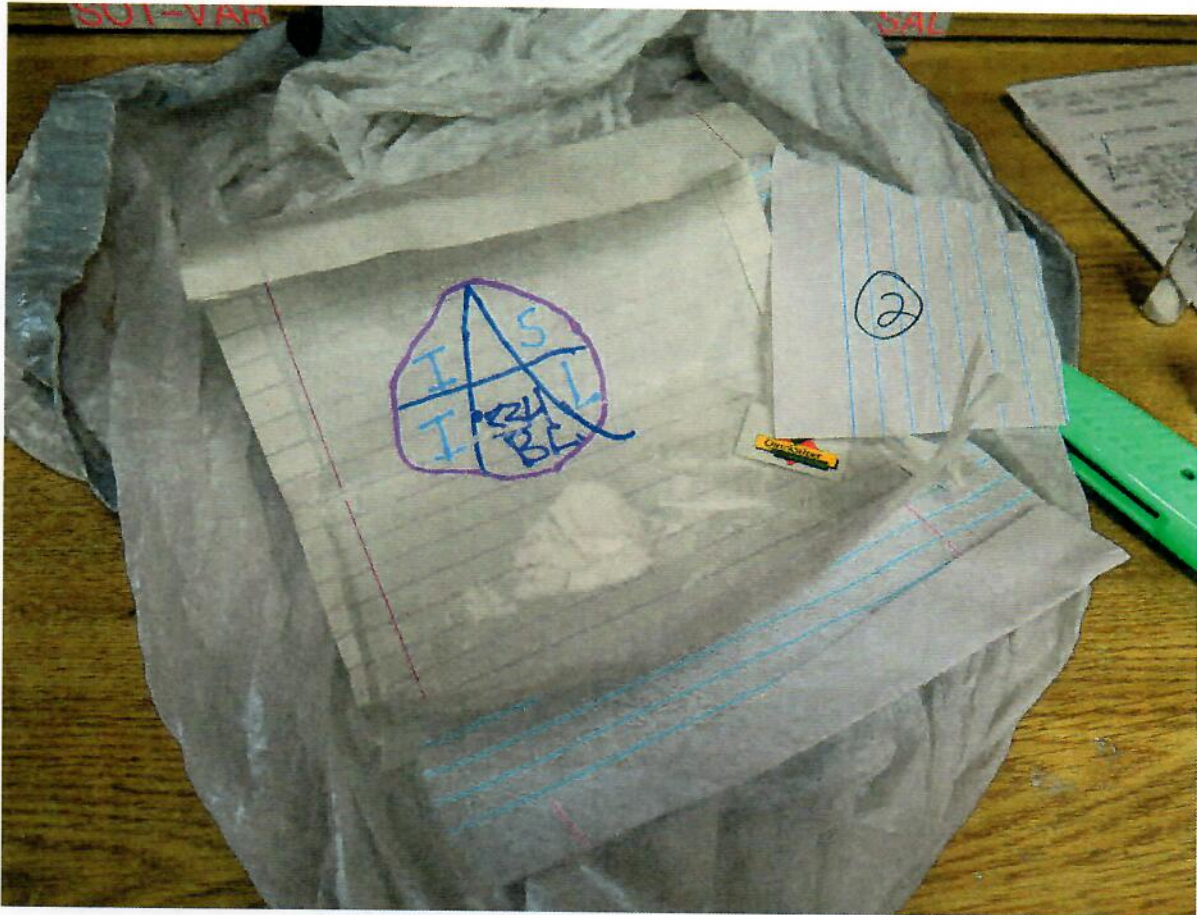
21. On or about October 23, 2018, SSA Springfield, located at 70 Bond Street, Springfield, Massachusetts, received a package through the mail in a padded manila envelope with the return address of “JOKER,” having an address in Westfield, Massachusetts (“PACKAGE 2”).

22. PACKAGE 2 contained a letter handwritten on white-lined paper, with the phrase: “FOR ALLAH YOU DIE, ATHENA KNOWS YOUR LIES, DEATH TO YOU TRAITORS, AND THE FUCKING FBI.” PACKAGE 2 contained white powder.¹

23. On the back side of the letter was a hand-drawn anarchist A symbol that contained the acronym “ISIL.” As noted above, ISIS is an acronym for a FTO, and ISIL is often used to refer to the same FTO. This anarchist A symbol was similar to the symbol drawn on the contents of PACKAGE 1, except that the anarchist A circle in PACKAGE 1 contained a reference to “ISIS” while PACKAGE 2 contained a referenced to “ISIL.” Photographs of the letter and the white powder are shown below:

¹The Massachusetts State Police Laboratory tested this white powder and determined that it was not Anthrax or any other hazardous biological or chemical agent.





Package mailed to FBI Springfield on October 24, 2018

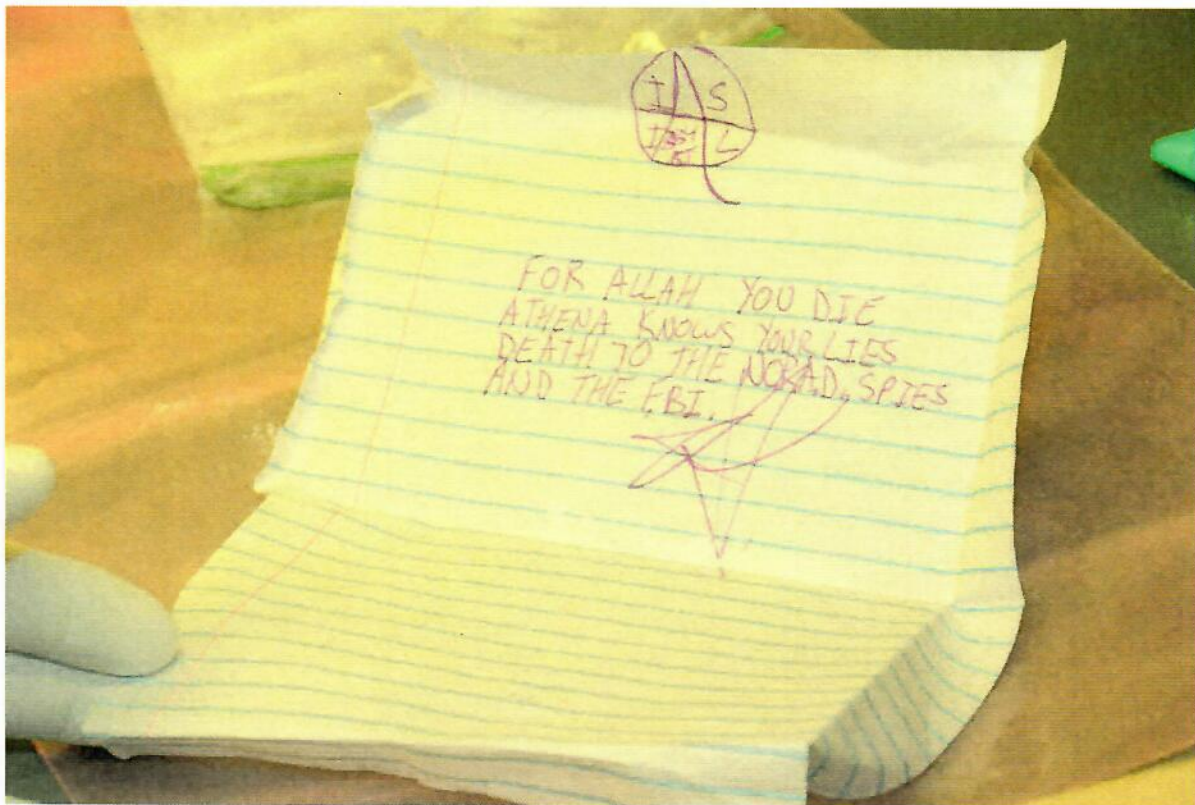
24. On or about October 24, 2018, FBI Springfield received a package through the mail in a padded manila envelope addressed to “AGENT UNCLE HAM” with the return address of “JOKER,” having the same address in Westfield, Massachusetts as PACKAGE 2 (“PACKAGE 3”).

25. PACKAGE 3 contained a handwritten letter on white-lined paper, with the phrase: “FOR ALLAH YOU DIE, ATHENA KNOWS YOUR LIES, DEATH TO THE N.O.R.A.D. SPIES, AND THE FBI.” PACKAGE 3 also contained white powder.² Based on my training and

² The Massachusetts State Police Laboratory tested this white powder and determined that it was not Anthrax or any other hazardous biological or chemical agent.

experience, I believe that “N.O.R.A.D.” refers to the North American Aerospace Defense Command, which is a defense radar system.

26. On the top of the letter was the same unique hand-drawn symbol that was inside PACKAGE 2 that contained the acronym “ISIL” surrounded by the anarchist A symbol. A photograph of the letter and the white powder are shown below:



Package mailed to USAO Springfield on November 13, 2018

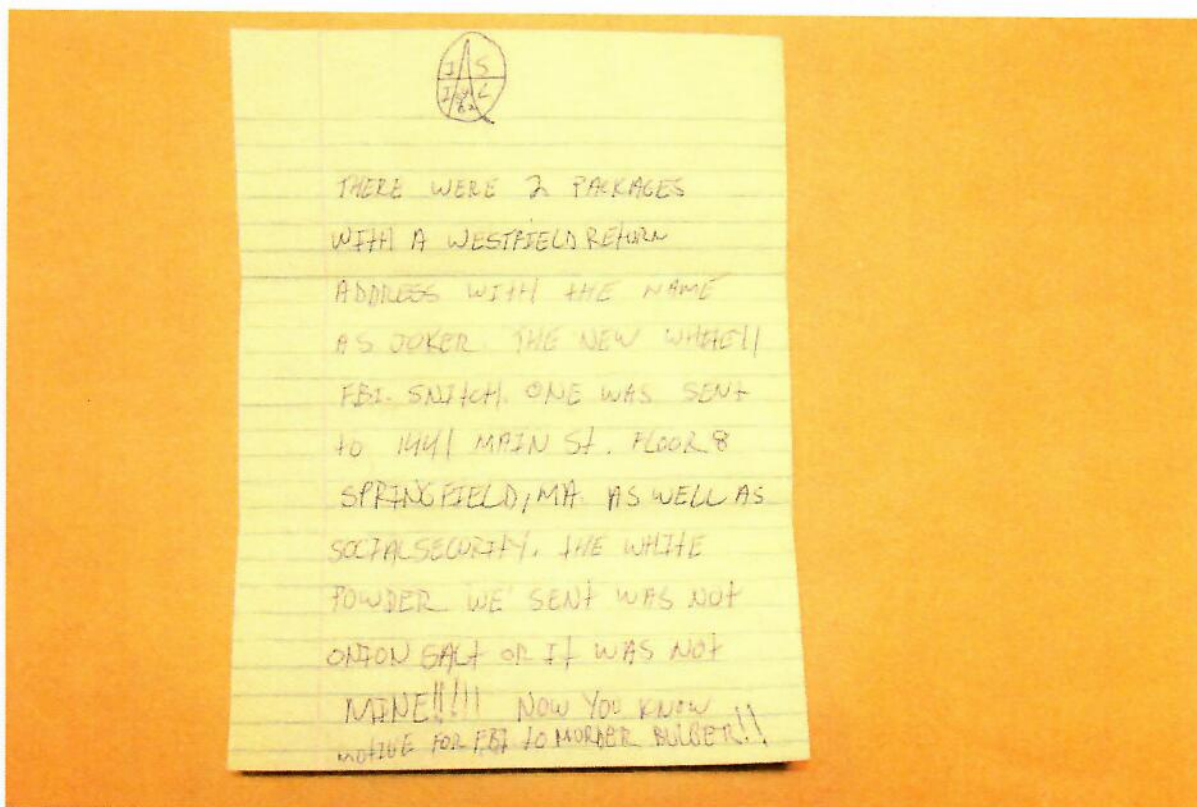
27. On or about November 13, 2018, the USAO Springfield, located at 300 State Street, Suite 230, Springfield, Massachusetts, received a letter through the mail addressed to “UNITED STATES DISTRICT ATTORNEY, ATTN ANDREW LELLING.” The return address on that package read: “WANTED FOR TERRORISM” (“PACKAGE 4”).

28. PACKAGE 4 contained three items: a handwritten letter on white-lined paper, and two newspaper articles, which appeared to have been removed from a newspaper.

29. One of the newspaper articles was a report about the closure of the SSA Springfield building because SSA Springfield had received a package containing white powder on October 23, 2018. The article noted that the powder was found to be onion salt. The words "onion salt" were circled in pen on the article.

30. The second article was about the death of James Joseph Bulger, Jr., a/k/a "Whitey Bulger," in prison. The phrase "5 finger Freddy" was written in pen next to the name "Freddy Geas" on the article. News media outlets have reported Geas as Bulger's suspected killer.

31. Like PACKAGES 2 and 3, the handwritten letter inside PACKAGE 4 contained the same unique hand-drawn anarchist A symbol with a reference to "ISIL." A photograph of the letter is shown below:



Interview of D.F. on October 26, 2018

32. On October 26, 2018, Westfield Police Detective Scott Phelon and I interviewed

D.F. D.F. resides at the return address in Westfield, Massachusetts listed on PACKAGES 2 and 3.

33. D.F. stated that he used to be called “the joker” in high school, but that no one has called him that name in almost 20 years.

34. Additionally, D.F. stated that he had lived with JOHNSON previously. D.F. and JOHNSON had a disagreement in 1994 or 1995 over money that JOHNSON owed D.F. After JOHNSON failed to pay D.F. the money he owed, D.F. went to JOHNSON’s house, pushed in the door, and “smacked him [JOHNSON] around.” D.F. did not recall seeing JOHNSON since that incident.

35. D.F. reviewed footage of the July 23, 2018 surveillance video outside the FBI Springfield office, which showed an unidentified male throwing a package at the front door of the FBI office. D.F. stated that the unidentified male in the video looked like JOHNSON, because JOHNSON had a forked beard. D.F. also recognized JOHNSON’s distinctive walk.

Interview of JOHNSON on November 16, 2018

36. On or about November 16, 2018, Special Agent Brian Durand (“Special Agent Durand”) of the Social Security Administration, Office of Inspector General (“SSA-OIG”) and Southwick Police Detective Thomas Krutka (“Detective Krutka”) attempted to interview JOHNSON at his residence.

37. When Special Agent Durand and Detective Krutka knocked on the door of the residence, JOHNSON opened the door. Special Agent Durand identified himself as a Special Agent with the Social Security Administration and stated that he was there to speak with JOHNSON. JOHNSON identified himself as Kevin JOHNSON, and acknowledged that he visited SSA Springfield on September 27, 2018. JOHNSON did not allow Special Agent Durand

or Detective Krutka into the home.

38. JOHNSON told Special Agent Durand and Detective Krutka to “tell Trump to get out,” and if they wanted to talk to him, “they could do it in court.” JOHNSON then closed the door, ending the conversation with Special Agent Durand and Detective Krutka.

39. Immediately after this conversation with JOHNSON, Special Agent Durand notated the following description of JOHNSON: white male, freshly shaved head, long white goatee beard, around 50 years old.

40. After the interview, Special Agent Durand reviewed several still photographs captured from the July 23, 2018 surveillance video outside the FBI Springfield office, which showed an unidentified male throwing a package at the front door of the FBI office. Special Agent Durand stated that the unidentified male in the video closely resembled JOHNSON, the man with whom he had just spoken at JOHNSON’s residence. Specifically, Special Agent Durand stated that the unidentified male and JOHNSON had very similar builds and facial features, and both had long and distinctive white goatee beards.

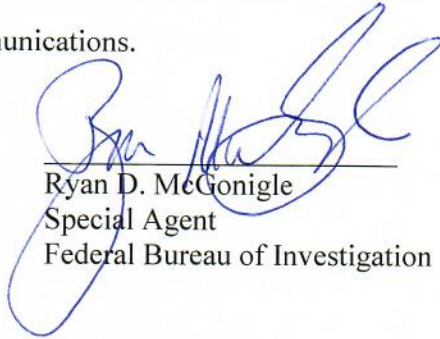
41. Based upon the foregoing, I have probable to believe, and do in fact believe the following: (a) JOHNSON delivered and/or mailed PACKAGES 1 through 4; (b) JOHNSON mailed PACKAGES 2 through 4; (c) PACKAGES 2 and 3 contained threats to injure at least one person; and (d) JOHNSON acted knowingly and willfully and with the intent to threaten another person.

42. In addition, I have probable cause to believe and do in fact believe that JOHNSON intentionally conveyed false and misleading information under circumstances in which such information may reasonably have been believed, when he mailed PACKAGES 2 and 3. I also have probable cause to believe that such information indicated that an activity in violation of Title

18, chapters 10 (biological weapons) and 11B (chemical weapons) had taken, was taking, or would take place.

CONCLUSION

43. Based on the foregoing facts, I respectfully submit that there is probable cause to believe that JOHNSON violated 18 U.S.C. § 1038 by conveying false information and hoaxes, and 18 U.S.C. § 876(c) by mailing threatening communications.



Ryan D. McGonigle
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me on this 29th day of November, 2018.



HON. KATHERINE A. ROBERTSON
UNITED STATES MAGISTRATE JUDGE